

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

In re Patent Application of:

Trevor BURBRIDGE, *et al.*

Atty. Ref.: LSN-36-1906

Serial No.: 10/538,122

T.C./A.U.: 2618 – Conf. No.: 2009

Filed: June 7, 2005

Examiner: Adel Y. Youssef

For: METHOD FOR CO-ORDINATING NETWORKED GROUP  
MEMBERS AND DEVICES PERFORMING THE METHOD

\* \* \* \* \*

May 4, 2009

**MAIL STOP ISSUE FEE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**

The Examiner's February 2, 2009, stated reasons for allowance erroneously include cancelled claim 18 – and incorrectly/incompletely copy portions of claim 1 – resulting in a grammatically incorrect statement. For example:

- (i) some of the wording from the “monitoring” step has been omitted.
- (ii) The word “find” has been inserted at the beginning of the “commencing” step.
- (iii) The phrase “when the messages indicate” has been added.
- (iv) The phrase “the application unit directly recited in independent claims” has been added.

Of these changes, (i), (ii) and (iv) appear to make the statement grammatically incorrect.

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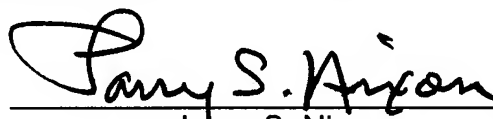
Change (iii) is, strictly speaking, incorrect. It would (generally) be a lack of messages that would indicate that all of the other members have left the waiting channel. Specifying that this happens "when the messages indicate that all of the other members have left the waiting channel" could be interpreted as if it is saying the opposite.

It is believed that the claim language should be construed without regard to the stated reasons for allowance – based on the other preceding intrinsic evidence of record.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By:

  
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